

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

OCT 01 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIM TROTTIER HIRT,

Defendant.

CR 14-10-BLG-DLC

ORDER

Before the Court is Defendant Kim Trottier Hirt's Motion for Early Termination of Supervised Release. (Doc. 53.) The motion is unopposed. On September 26, 2014, the Court sentenced Hirt to 28 months' imprisonment—later reduced to 25 months—after she pleaded guilty to Conspiracy to Possess with Intent to Distribute Methamphetamine. (Docs. 44, 48.) Hirt was also sentenced to three years of supervised release, which began on August 10, 2016.

Federal law provides that a court may "terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]" 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised release, a court shall consider the factors set forth in 18 U.S.C. § 3553(a), including:

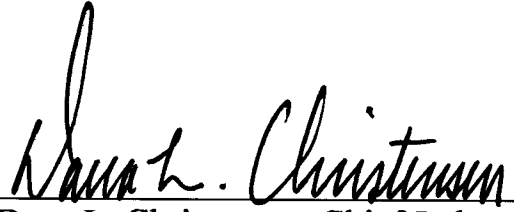
(1) the nature and circumstances of the offense and the history and characteristics of the defendant; (2) deterrence; (3) protection of the public; (4) the need to provide the defendant with educational, vocational training, medical care or other rehabilitation; (5) the sentence and sentencing range established for the category of defendant; (6) any pertinent policy statement by the Sentencing Commission; (7) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and (8) the need to provide restitution to any victims of the offense.

United States v. Smith, 219 Fed Appx. 666, 667 n.3 (9th Cir. 2007) (unpublished).

Hirt has completed over half of her term of supervised release with no violations or revocations. Hirt's conviction is for a nonviolent offense related to addiction. She has used her terms of incarceration and supervision to participate in and successfully complete residential and aftercare drug treatment programs. Hirt has demonstrated responsibility to her school-age grandchildren, over whom she has legal guardianship. The Court is convinced that early termination is justified in light of: the interests of justice; Hirt's lack of criminal history; Hirt's successful completion of drug treatment programs; and Hirt's success on supervised release to date.

Accordingly, IT IS ORDERED that Hirt's motion (Doc. 53) is GRANTED. The term of supervised release imposed by the December 30, 2015 Amended Judgment is TERMINATED as of the date of this Order and Hirt is hereby DISCHARGED from the sentence of supervised release in this case.

DATED this 1st day of October, 2018.



Dana L. Christensen, Chief Judge
United States District Court